

W Y C H E

Attorneys at Law

January 7, 2019

The Honorable David C. Norton
United States District Judge
Post Office 835
Charleston, South Carolina 29402

Re: *Zdenek Bakala vs Pavol Krupa, Adam Swart, and Crowds on Demand LLC*
Case No.: 9:18-cv-02590-DCN

Dear Judge Norton:

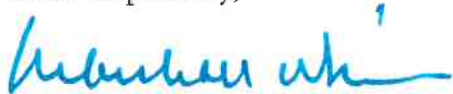
I am writing to inform the Court of our having filed our Memorandum in Opposition to Motion to Dismiss and RICO Case Statement out of time. By order of the Court, these documents were to have been filed by Friday, January 4, 2019, but in fact they were filed twenty-one and twenty-three minutes late, at 12:21 am and 12:23 am respectively.

The reason for the late filing was a failure of our firm's document management system shortly after 11:38 pm Friday night, when we successfully filed a Consent Motion for leave to file excess pages and for an extension of time for Defendants to reply to our opposition memorandum. When we attempted to file the Memorandum and RICO Case Statement, the system failed. Our technical support personnel immediately took action and were able to resolve the problem, but unfortunately that did not occur until after the midnight deadline had passed. We filed the two documents immediately upon restart of the system.

I do not believe that our firm has ever experienced this kind of situation before, and we do not anticipate any recurrence. We apologize to the Court and our opposing counsel for the delay.

We bring this to the Court's direct attention with the hope that the Court will see fit under these circumstances to treat these two documents as having been timely filed.

Yours respectfully,



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